

**MEETING NOTES
FERC Project 184
ECOLOGICAL RESOURCES COMMITTEE MEETING**

**El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667**

October 25, 2005

WELCOME AND INTRODUCTIONS

Dan Corcoran (EID), Paul J. Creger (ERC Member), Tom Henie (Kirkwood Meadows), Alice Howard (ERC Member), Cheri Jagers (EID), Stafford Lehr (USF&G), Len Marino (EID), Judy Molnar (County of Alpine), Cheryl Mulder (USFS), Beth Paulson (USFS-via telephone), Brad Pearson (League to Save Sierra Lakes), Chris Shutes (ERC Member), Bill Slightam (EID), Leonard Turnbeaugh (Alpine County), Jann Williams (USFS)

REVIEW AND APPROVAL OF AUGUST 2005 ERC MEETING NOTES

The Ecological Review Committee (ERC) convened on Tuesday, October 25, 2005, at approximately 9:05 am, at the offices of the El Dorado Irrigation District (EID).

Len Marino, EID Co-Hydro Division Manager, convened the meeting and called for approval of and/or objections to the Minutes of August 25, 2005.

California Department of Fish and Game (CDFG) indicated that the resource agencies have a concern with the meeting notes in regards to the amphibian monitoring plan and directed the ERC to page 4, third paragraph, second sentence of the August 23, 2005, meeting notes.

Going forward for the purpose of determining compliance with the settlement agreement with the ERC, EID, and the resource agencies agree that 2004 will be considered year one of the monitoring.

CDFG indicated that 2004 can not be considered "year one" as the license has not yet been issued. Accordingly, the water flows for the new license have not been implemented. The intent of the monitoring was to evaluate the effect of the new flows on aquatic life. In 2004, expecting that license issuance was imminent, EID, with resource agency concurrence, contracted for amphibian and hardhead surveys. The same set of circumstances occurred in 2005. Now two years of surveys have been completed prior to license issuance.

Discussions ensued resulting in the following agreement in regards to implementing the Foothill Yellow-legged Frog monitoring required by 4(e) Condition 37.3:

1. No additional monitoring will be completed until after the new license is issued.
2. Condition 37.3, paragraph 2 of the method section states: "The first year of surveys would be to determine the timing and success of the following life stages of existing known populations: egg laying, tadpole rearing, metamorphosis, and size/condition of metamorphs in late September to estimate probability of overwintering success." EID has fulfilled this requirement via monitoring conducted in 2004 and 2005.
3. As described in Condition 37.3 (paragraph 2 of the method section), EID will perform known site presence monitoring in subsequent years 5, 10, 15, 20, 25, 30. The purpose of the monitoring will be to assess if egg masses and tadpoles have been adversely affected by project operations. In year 5 monitoring is scheduled to occur at known sites 105R, 110R, 115T, 120R, 124R, 125T, 210DT, 213R, and 220R. These are the same sites that were sampled in 2005.
4. Following any flow fluctuations between the months of June and September during the first three years after the license is issued, EID will monitor for adverse effects of flow fluctuation on egg masses and/or tadpoles (as described in paragraph 3 of the method section). Flow fluctuations are defined as any time the SFAR flow is 100 cfs or less and the reach between Kyburz Diversion Dam and Silver Creek changes 50 cfs or more in 1 day. Monitoring sites for flow fluctuations shall be: 124R, 220R, 213R, and 120R. Additional sites may be added at the approval of the ERC.

USFS and EID agreed to add a footnote to the August meeting notes in reference to: *Going forward for the purpose of determining compliance with the settlement agreement with the ERC, EID, and the resource agencies agree that 2004 will be considered year one of the monitoring.* The footnote shall state: "to be consistent with the settlement agreement, 2004 can not technically be designated year 1, as the corresponding new license flows were not yet implemented" and direct the reader to the October 25, 2005 meeting notes for further information.

Deleted:

Alice Howard, ERC member, requested that future conference calls be memorialized via minutes and be sent out promptly for consideration.

Chris Shutes, ERC member, requested that a brief synopsis of "discussions" be included in future meeting notes.

PENDING LICENSE UPDATE

A handout containing the estimated timeline for FERC License was distributed. The current estimate for the completion of the remaining steps for license issuance indicates the license will be issued approximately June 2006. State Water Resources Control Board (SWRCB) has not yet issued the water quality 401 certification. SWRCB, is waiting for legal review of the incorporation of the comments from the prior legal review. Once FERC issues the license there will be a 30-day period to review and comment on the license.

The streamflow requirements for the new license must be implemented within three months of license issuance. If the license is issued in June 2006, the new flow regime would be required to be implemented by September 2006. The normal system maintenance outage occurs in September. The new stream flows would then begin following the annual outage, approximately late November 2006.

EID will be telephonically participating in the December 1 FERC hearing on pending licenses delayed for 3 years or more.

The SWRCB Notice to Adopt the EIR will be circulated for a 45-day review process.

WATER YEAR REPORT

Water Operations Report

EID's powerhouse is currently not operating due to the normal maintenance outage and should be back on-line in November. EID staff has been working six days a week, 12 hours a day, to complete the required maintenance during the outage period. The provided handout shows Caples Lake measured by acre feet and Lake Aloha measured by staff gage height. Echo Lake has 2 feet of flash boards still installed. This lake level will be held until November 15, 2005. No water will be diverted from Echo Lake in 2005 due to the tunnel collapse and resulting repair work. Caples Lake has been winterized and outflow is down to 11 cfs.

Alice Howard inquired about future repair plans at Forebay Dam. EID is currently meeting with Division of Safety of Dams and FERC regarding the dam stability. Recommendations from these agencies will be incorporated when future plans for Forebay Dam are developed. Chris Shutes asked if EID intends to expand the size of Forebay. An expansion of Forebay will be explored, but not enough hard facts are currently known.

Brad Pearson, ERC member, inquired about the color of the safety booms at Silver Lake. EID replied that FERC requires the color of the booms to be orange for safety. CDFG indicated that booms on other FERC projects in the region are orange. Brad Pearson requested to see the code requiring the booms to be orange.

LICENSE REQUIREMENTS IMPLEMENTATION PROGRESS REPORTS

Caples Boat Launch Facility

Provided grant funding is obtained in 2006, construction could begin as early as 2007. Construction will be limited to the summer months due to weather conditions at this elevation. The way the boat launch will likely be constructed is that each segment is prefabricated and then rolled out into the lake. The Department of Boating and Waterways has requested that EID and the Forest Service complete the new turn-pocket and entrance road before construction of the boat ramp begins. The current entrance road is not safe.

Draft Land Adjustment Proposal

EID's Board of Directors has approved a draft Land Exchange Proposal which consists of a list of potential properties for exchange between the Forest Service and EID based upon total acreage. The final land exchange is a dollar-for-dollar exchange based upon assessed land value. In the land exchange process the Forest Service cannot sell, buy, or gift property – it is an even dollar exchange. Maps indicating the properties being considered for the land exchange project were distributed.

Leonard Turnbeaugh noted that the Alpine County properties were not specifically mentioned in the 4(e) Condition 61. Alpine County's concern is that potentially EID could own no properties whatsoever in Alpine County. EID's legal counsel had noted Alpine's concerns regarding this issue. The actual exchange may not be completed until after 2009. The highest priority property which EID would like to acquire from the USFS contains EID's Reservoir A water treatment plant.

Caples Spillway

EID asked the resource agencies for clarification on potentially conflicting language between 4(e) Condition 38.4, as illustrated in the distributed table.

34.1	Spring Pulse Flows 3 months after license, but not prior to new streamflows; Pulse flow in natural Caples Creek channel below Caples Lake Dam specifications differ with water year type
38.3	Caples Creek Pulse flows After 5 years of pulse flows, if the geomorphology reports indicate flows are not effectively mitigating sediment/bedload transport or other fluvial objective the ERC shall determine if flows (up to 600cfs) or duration (up to 10 days) should be increased
38.3.a	Feasibility Study Determine if Caples Spillway facility can be designed to convey flows up to 600 cfs within 2 yrs of license
38.3.b	Stabilization Plan Develop stabilization plan for spillway channel within 2 yrs of license and implement upon plan approval

Condition 38.3 indicates that if the fluvial goals are not met after 5 years of pulse flows at 350cfs, the ERC shall determine if increased flows (up to 600cfs) are needed. However, the Feasibility Study and Stabilization Plan for flows up to 600cfs are required within 2 years of license.

The USFS indicated that during pre-settlement negotiations the resource agencies requested the higher release to begin upon license issuance. The studies were required to start within two years of license so not to cause further delays if after the five years at 350cfs the fluvial goals are not met.

2005 Amphibian Preliminary Monitoring Results

The ERC reviewed the preliminary monitoring results. There were 24 egg masses observed at 3 sites during 2004 versus 12 egg masses at four sites in 2005. Based on tadpole observations there was breeding (i.e. egg masses were laid) in 2004 at sites 110 and 115 in addition to those sites where egg masses were observed (sites 105, 213, and 220). In 2005 tadpoles were observed at sites 105 (incidental observation off site), 115 and 120. The draft monitoring report will be posted on the Project 184 website when available.

Streamflow and Reservoir Gaging-Carpenter Creek

EID would like to explore utilizing the water rights from Carpenter Creek to assist with streamflow requirements at the A12 gage on the South Fork American River (SFAR) verses diversion into the canal.

CDFG and USFS concurred that utilizing the water to meet streamflow goals at gage A12 on the SFAR is logically and biologically better than diverting the water upstream. EID could possibly donate the water right as an instream water right, per Section 1707. The flows would not be impeded at the Carpenter diversion. This would negate the need for a fish screen and gaging station on Carpenter Creek. The Fish Screen plan required by Condition 39, within 6 months of license, will address this change and be submitted to FERC for approval.

CAPITAL IMPROVEMENT PROJECTS

Fish Ladder

In July 2005, EID used paddles to experiment with orifice configurations in the diversion dam fish ladder. An orifice configuration was developed to assist in evenly distributing elevation changes between pools. Pending FERC approval, EID will construct adjustable 3-way height inserts for the fish ladder based on the field exercise. CDFG indicated that the matrix should encompass the range of flows, gate settings to get different elevations and velocities. The matrix will cover three settings; 15 cfs, 30 cfs, and 50 cfs.

Spillway 20

New gates have been installed and the hydraulic power units are being tested.

Echo Tunnel

A partial collapse within Echo Tunnel has occurred. Proposed repairs include slip-lining the entire length of the tunnel. EID has declared the project an emergency for health and safety concerns. All necessary permits have been obtained. The necessary repairs should be completed before the first major snow. If necessary, the contractor will continue even with snow conditions.

Paul Creger, ERC member, inquired as to the status of the Hazel Creek Tunnel. Hazel Creek Tunnel damage sustained in the 1997 flood has been repaired.

Flume Repairs

EID did not receive any responsive bids due to legal criteria for the Flume 49 & 50 repair. This project is now scheduled to be completed in 2006. At least one or two flume repairs and spillway automations will be completed per year per the overall replacement program, which will be about a nine-year project.

Slide Gate Replacements

The diversion dam slide gates are currently being refurbished. The existing gate at Echo Lake may be replaced with a slide gate.

ERC PLAN APPROVAL PROTOCOL

A draft plan approval protocol was presented to the ERC based loosely upon the Mokelumne plan approval protocol. The protocol was reviewed and discussed by the group. CDFG and USFS will further review and edit the draft plan prior to the February ERC meeting.

FUTURE ERC MEETING DATES

Tentative meeting dates for 2006 were reviewed by the group. The ERC agreed to confirm the date for the next meeting, which will be a two-day format including workshops to be held on February 28, 2006, and March 1, 2006. The following dates will remain tentative pending issuance of the new license: May 10, 2006, July 26, 2006, and October 11, 2006.

Leonard Turnbeaugh announced his retirement. Judy Molnar will be Leonard's replacement on the ERC, representing Alpine County.

Meeting was adjourned at 1:00 pm.